

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402



Project Name: DIAMOND MEADOWS SUBDIVISION

Case Number: PLD2006-00075; SEP2006-00134

Location: 10404 NE 53rd Avenue

Request: The applicant is proposing to subdivide 5.59 acres into 30 lots with two lots to contain existing dwellings, in the Single-Family Residential (R1-6) zone.

Applicant: Brett Asplund
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Property Owners: Clara June Stillman
10404 NE 53rd Avenue
Vancouver WA 98686

Carl & Marguerite Brooks
10304 NE 53rd Avenue
Vancouver WA 98686

Mike J & Cindy Pauletto
11204 NW 37th Court
Vancouver WA 98685

RECOMMENDATION

Approve, subject to Conditions

Team Leader's Initials: **Date Issued:** September 20, 2006

Public Hearing Date: October 5, 2006

County Review Staff:

<u>Title</u>	<u>Name</u>	<u>Phone</u> (360) 397-2375 Ext.	<u>E-mail Address</u>
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Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	Steve.schulte@clark.wa.gov

Comp Plan Designation: Urban Low Density Residential

Parcel Numbers: Tax Lots 40 (199092-000), 41 (199093-000), 43 (199095-000), 129 (199175-000) and 98 (199147-000) located in the SW ¼ of Section 31, Township 3 North, Range 2 East of the Willamette Meridian.

Applicable Laws:

Clark County Code Sections: 15.12 (Fire Code); 40.220.010 (Single-Family Residential Districts); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.500.010 (Procedures); 40.510.030 (Type III Process); 40.540.040 (Subdivisions); 40.570 (SEPA); 40.610 & 40.620 (Impact Fees); and RCW 58.17 (State Platting Laws).

Neighborhood Association/Contact:

Andresen/St. Johns Neighborhood Association
Gloria Sommer, President
6200 NE 75th St
Vancouver WA 98661
(360) 735-8983
E-mail: Andresenst@aol.com

Time Limits:

The application was determined to be fully complete on July 18, 2006 (see Exhibit #12). Therefore, the County Code requirement for issuing a decision within 92 days lapses on October 18, 2006. The State requirement for issuing a decision within 120 calendar days lapses on November 15, 2006.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the

application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on March 30, 2006. The pre-application was determined to be contingently vested on March 9, 2006, the date the fully complete pre-application was submitted.

The fully complete application was submitted on July 18, 2006 and determined to be fully complete on July 18, 2006. Given these facts the application is vested on March 9, 2006.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the Andresen/St Johns Neighborhood Association, and owners of property located within 300 feet of the site on July 31, 2006. One sign was posted on the subject property and two within the vicinity on September 20, 2006. Notice of the SEPA Determination and public hearing was published in the "Columbian" Newspaper on September 20, 2006.

Public Comments:

In response to the public notice, the county received two comment letters, as follows:

1. Received on August 7, 2006 from David Joyner, Southwest Clean Air Agency (Exhibit #19). The SWCAA letter cites asbestos control regulations and inspection requirements that apply to demolition or renovation of structures, and provides information on the required procedures. The letter also cites SWCAA regulations regarding construction dust.

Staff Response

The applicant has been provided with a copy of the SWCAA letter and is separately responsible for complying with their requirements. Contact information is provided, and the applicant should contact the agency for notification forms. See Condition D-5 below.

2. Received on August 16, 2006 from the Washington Department of Ecology (Exhibit #20). The DOE SEPA comment letter states that, if contamination is observed during development, sampling of the contaminated media must be conducted and Ecology must be notified.

Staff Response

The applicant has been provided with a copy of the DOE letter and is separately responsible for compliance with all state and federal laws.

Project Overview

The site consists of four contiguous parcels totaling 5.59 acres. Each parcel contains an existing residence. The two southerly dwellings are proposed to be retained and the

two northerly ones are to be removed. The site is proposed to be divided into 30 lots averaging 6,764 square feet.

NE 53rd Avenue abuts the site on the east and NE 107th Street is stubbed to the northwest corner of the site. Internal access to the subdivision is proposed by extending a residential access road into the site from 53rd Avenue with two short cul-de-sac streets extending north and south from it. A short private road extending from the north cul-de-sac bulb is proposed to serve the northerly tier of lots.

In addition to the existing structures, the site contains a number of coniferous and deciduous trees and ornamental shrubs but is mostly open and grass-covered. The property is relatively flat with a grade of 5% or less.

The north boundary of the site abuts the I-205 right-of-way, and the northeast boundary abuts a single-family residential parcel. To the east of the site across 53rd Avenue is a mobile home park and to the south and east is Lalonde Subdivision. Large single-family parcels abut the west site boundary, except on the north portion where there is an existing nonconforming industrial business.

The site is located within the Battle Ground School District, Fire District #5, and Park District #8.

Surrounding uses and zoning are as indicated along with those of the site in the following table:

Compass	Comp Plan	Zoning	Current Land Use
Site	Urban Low Density Residential	Single-family Residential (R1-6)	Residential
North	Urban Low Density Residential	Single-family Residential (R1-6)	I-205 Freeway
West	Urban Low Density Residential	Single-family Residential (R1-6)	Residential
South	Urban Low Density Residential	Single-family Residential (R1-6)	Residential
East	Urban Low Density Residential	Single-family Residential (R1-6)	Industrial & Residential

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |

6. Energy and Natural Resources
7. Environmental Health
8. Land and Shoreline Use

14. Transportation
15. Public Services
16. Utilities

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 Development Standards

The lot standards for residential developments in the R1-6 zone are contained in CCC Table 40.220.010-2. The minimum and maximum average lot area standards are 6,000 and 8,500 square feet, respectively. The minimum average lot width and depth are 50 feet and 90 feet, respectively.

Based on the dimensions provided on the preliminary plat Lots 1, 5, 23, 24, 26 and 27 do not meet the minimum average lot depth standard. Therefore, the plat needs to be amended in order to comply. (see Condition D-1)

The applicable setbacks for each lot, in accordance with Table 40.220.010-3, are as follows:

- Front – 20 feet
- Street side – 10 feet (applicable to Lots 16, 18, 19, & 20)
- Side – 5 feet
- Rear – 5 feet

The maximum lot coverage is 50% and the maximum building height is 35 feet.

Finding 2 Plat Boundaries

The applicant's preliminary boundary survey (Exhibit #6, Attachment 9) identifies discrepancies between the surveyed parcel boundaries and some existing fence lines, which could be subject to adverse possession claims. Therefore, any potential adverse possession claims need to be resolved prior to final plat approval in order to avoid subsequent need for a plat alteration. (see Condition D-2)

A boundary line adjustment is proposed between existing parcels (Tax Lots 43 & 41) in order to configure the plat boundaries, as proposed. The proposed BLA has been reviewed for compliance with zoning and platting laws, and has been found to be

compliant (BLA2006-00058). The BLA needs to be recorded prior to final plat approval. (see Condition D-3)

Also, the proposed plat relies on obtaining 20 feet of existing right-of-way from NE 53rd Avenue. The applicant has requested that the county quit-claim the excess right-of-way to the property owners; however, county legal counsel has indicated to staff that a right-of-way vacation process is necessary. (see Condition D-4)

Finding 3 Existing Structures

The site consists of four contiguous parcels, each containing an existing residence with accessory buildings. The two southerly dwellings are proposed to be retained and the two northerly ones are to be removed. A demolition permit is required for the removal of any structures and asbestos control inspection requirements and regulations apply. The applicant needs to contact the Southwest Clean Air Agency regarding asbestos inspection and abatement requirements. (see Condition D-5)

The existing detached garage associated with the southerly most dwelling is proposed to be retained; however, as proposed, it would be located on Lot 29 – separate from the dwelling, which would be located on Lot 30. An accessory structure is not permitted on a lot without a primary residential structure. Therefore, the garage shall be moved or removed. (see Condition D-6)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified in this report, meets or can meet the land use requirements of Clark County Code.

TRANSPORTATION:

Finding 4 Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act and the provisions of CCC 40.350.010 are required. The development plans propose sidewalk along the frontage of NE 53rd Avenue with connections to sidewalks to be constructed through the site. Bike lanes are not required along urban local residential roads. Staff finds that based on the proposed plan, pedestrian circulation complies with Section 40.350.010.

Finding 5 Circulation Plan

In compliance with CCC 40.350.030(B)(2), the purpose of the circulation plan is to ensure access to the proposed development and to provide adequate cross-circulation in a manner which allows subsequent developments to meet the cross-circulation standards. The project proposes to construct local residential access roads throughout the site to serve the development. The road serving the southerly lots will be constructed to allow connection to the west with future development of parcel 199062-000. The site is bounded by I-205 to the north and single-family homes to the south. Thus, the project does not propose any road extension to the north or south due to limitations created by Interstate I-205 and existing homes. Therefore, the project complies with the circulation plan requirements, CCC 40.350.030(B)(2).

Finding 6 NE 53rd Avenue Frontage Improvements

NE 53rd Avenue, abutting the site on the east, is classified as an urban local residential access road. The minimum right-of-way (ROW) dedications and improvements for this road, in accordance with CCC Table 40.350.030-4 and the Standard Details Manual, Drawing 14, include:

- a. A minimum half-width ROW of 23 feet
- b. A minimum half-width roadway of 14 feet
- c. Curb/ gutter, minimum width sidewalk of 5 feet

The proposed plan meets the ROW dedications and improvements for this road in accordance with CCC requirements.

The applicant has conducted a boundary survey and discovered a discrepancy in the existing ROW boundaries of NE 53rd Avenue. The boundary survey determined that NE 53rd Avenue was not constructed in the dedicated right-of-way. According to the applicant, a survey was drafted in the 1960's to locate the pavement section in the right-of-way and resolve this issue. However, the survey was never recorded. Therefore, the existing NE 53rd Avenue right-of-way is encroaching on the applicant's property and the existing pavement section is not located in the right-of-way. The applicant is pursuing legal rights to move the right-of-way boundaries and locate the existing and proposed road improvements within the right-of-way. To verify that the proposed frontage improvements are designed in the correct location, the applicant shall provide documentation that resolves the discrepancy and establishes the correct right-of-way boundaries. (see Condition A-1.a.)

Finding 7 South Cul-de-sac Frontage Improvements

A portion of the proposed street abutting the site on the west (APN 199062-000) is proposed to be constructed as half-width street improvements. The proposed improvements include:

- a. ROW width of 26 feet
- b. Roadway width of 20 feet
- c. Curb/ gutter and 5 foot sidewalk on the east side of street

The proposed plan meets the ROW dedications and improvements for this road in accordance with CCC requirements.

Finding 8 Urban Local Residential Access

The proposed onsite roads are classified as urban local residential access roads. The minimum right-of-way (ROW) dedications and improvements for these roads, in accordance with CCC Table 40.350.030-4 and the Standard Details Manual, Drawing 14, include:

- a. A minimum ROW width of 46 feet
- b. A minimum roadway width of 28 feet
- c. Curb/ gutter, minimum sidewalk width of 5 feet

The proposed plan meets the ROW dedications and improvements in accordance with CCC requirements.

Finding 9 Turnarounds

To conform to turnaround requirements of CCC 40.350.030(B)(12)(b)(1) and Table 40.350.030-4, stubbed private and public roads greater than 150 feet in length that serve 4 or more lots shall provide an approved turnaround. The proposed plan includes onsite cul-de-sac turnarounds with 40 foot radii. These improvements are consistent with Table 40.350.030-4 of CCC 40.350.030.B.3 and the Standard Details Manual, Drawing 28.

Finding 10 Access

The preliminary site plan proposes to obtain access to the site from NE 53rd Avenue. To conform to separation requirements of Table CCC 40.350.030-4, the minimum full access intersection spacing along local residential roads shall be a minimum of 100 feet, measured from centerline to centerline. The proposed access road is approximately 113 feet from the private road to the north and 280 feet from NE 103rd Street to the south. Therefore, the proposed plan meets the access separation requirements in accordance with CCC 40.350.

Finding 11 Sight Distance

The applicant has submitted a sight distance analysis conducted by Charbonneau Engineering LLC for three intersections surrounding the development. These intersections include NE 50th Avenue/ NE 102nd Street, NE 102nd Street/ NE 53rd Avenue and NE 53rd Avenue/ site access. The sight distance analysis concluded the following results:

Intersection (Along Street/ From Street)	Sight Distance	Sight Distance	Posted Speed Limit	Required Sight Distance
NE 50 th Avenue/ NE 102 nd Street	800' north	352' south	40 mph	400'
102 nd Street/ NE 53 rd Avenue	125' west	500' east	25 mph	250'
NE 53 rd Avenue/ site access	500' north	400' south	25 mph	250'

Per CCC 40.350.030(B)(8), the approval criterion for corner sight distance is 10 times the posted speed limit. Therefore, the corner sight distance for a posted speed limit of 40 mph is 400 feet. Based on the results above, the intersections of NE 50th Avenue/ NE 102nd Street and 102nd Street/ NE 53rd Avenue do not meet the minimum requirements. The applicant's traffic engineer addressed this issue in the analysis and states that sight distance from NE 102nd Street south along NE 50th Avenue can be improved if shrubs located approximately 150 feet south of NE 102nd are trimmed or removed.

In addition, the applicant's traffic engineer indicates that sight distance along NE 102nd Street from NE 53rd Avenue can be improved with the removal of shrubs and redesign of the existing fence located at 5300 NE 102nd Avenue. The improvements will increase the sight distance to approximately 170' from NE 53rd Avenue. Further improvements are not feasible due to the alignment of NE 102nd Street. The applicant shall make efforts to the extent possible to address safety concerns by submitting and obtaining approval of a mitigation plan for deficient sight distance at the intersection of NE 102nd Street from NE 53rd Avenue, which may include but not

limited to clearing vegetation, redesigning fencing, signing, striping, and removing objects that obstruct the line of sight in this location. (see Condition A-1.b.)

The sight distances to the north and south of the access point were measured to be in excess of the minimum requirements. On the final engineering plans, the applicant shall show sight distance triangles for all intersections. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. (see Condition A-1.c.)

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to the conditions identified in this report, meets the transportation requirements of the Clark County Code.

TRANSPORTATION CONCURRENCY:

Finding 12 Trip Generation

County concurrency staff has reviewed the proposed Diamond Meadows Subdivision consisting of 27 single family home units with two existing single family homes. The applicant's traffic study estimates the net weekday AM peak-hour trip generation at 18 new trips, while the net PM peak-hour trip generation is estimated at 25 new trips using nationally accepted data published by the Institute of Transportation Engineers. The site is located at 10404 NE 53rd Avenue.

Finding 13 Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site. All of the site access intersections analyzed in the applicant's traffic study will have an estimated LOS B or better during the peak traffic hours at the future build-out of the proposed development.

Finding 14 Concurrency

The applicant submitted a traffic study for this proposal in accordance with CCC 40.350.020(B). The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within one mile of the proposed development. The county's TraffixTM model includes many of the intersections of regional significance in the area and the county's model, along with the applicant's traffic study, was used to evaluate concurrency compliance. The modeling results and applicant's traffic study indicate that the operating levels comply with travel speed and delay standards.

The county incurs costs to analyze the proposed development's impacts; therefore, the applicant should reimburse the county for costs incurred in running the concurrency model. (see Condition A-2.a.)

Finding 15 Safety

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6). The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 16 Traffic Signal Warrants

The applicant's traffic study analyzed traffic signal warrants in the vicinity of the site and found that signal warrants are not met at any of the intersections in the vicinity of the site. Staff agrees with the analysis. Therefore, mitigation to install a traffic signal is not required.

Finding 17 Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant's traffic study analyzed the need for turn lanes in the vicinity of the site and found that turn lane warrants are not met. County staff concurs with the findings.

Finding 18 Historical Accident Situation

The applicant's traffic study analyzed the accident history at the intersections in the vicinity of the site. The historical accident rate at these locations does not exceed thresholds that would warrant additional analysis.

Finding 19 Sight Distance

Sight distance at the site access is discussed in Finding 11 above; therefore, this issue will not be addressed here. However, the traffic study found that there are two off-site locations where sight distance is deficient.

At the intersection of NE 50th Avenue and NE 102nd Street, the applicant's traffic study stated that sight distance is restricted for westbound drivers looking to the south. This is due to shrubs in the right of way to the south of NE 102nd Street. Public Works staff has now trimmed the shrubs to restore sight distance.

At the intersection of NE 53rd Avenue and NE 102nd Street, the applicant's traffic study states that sight distance is restricted for southbound drivers looking west while stopped at the stop sign. This is due to an awkward T-intersection arrangement that requires drivers to look across a residential driveway, fences, and hedges. The applicant's traffic study proposes that hedge trimming could slightly improve the sight distance, but that this mitigation could not improve the intersection sight distance sufficient to meet county code due to the fences and vehicles that would continue to obstruct sight distance.

Due to the increased traffic at this location, mitigation from the proposed development is needed to address the sight distance deficiency. A comparison between the background traffic and the future traffic including the proposed development, shows movements increasing 50% to nearly 100% for the southbound right and eastbound left turn movements, respectively, during the pm peak hour. This is based on Figures 3 and 6 of the applicant's traffic study.

County staff reviewed the turning movement volumes in the applicant's traffic study, along with making a site visit of the area, and staff has found a solution that will mitigate the sight distance deficiency and facilitate traffic flow in the area. A review of Figures 3 and 6 shows that the major traffic flow at this T-intersection is between the north and west legs. The east leg is generally the leg with less traffic. In addition, to the east of this intersection is a major roadway called St. Johns Road. As part of the county's upcoming St. Johns Road Improvement Project, a median will be installed on St. Johns across NE 102nd Street. This will further reduce the traffic on the east leg of the NE 102nd Street and NE 53rd Avenue intersection.

Typically, the leg that has the lowest traffic volume should be the leg that gets the traffic control. In this case, the traffic control device is a stop sign. The stop sign that is located on the north leg should be moved to the east leg. In this manner, westbound traffic will be required to stop, rather than southbound, as it exists today. Once this change is made, sight distance standards will be met.

This change will require that lane striping be added to indicate that drivers are approaching a curve in the road. In addition, signs will be needed to indicate that the road curves. These signs will need to include an advisory speed limit. Since the proposed development results in the need for the above improvements, the applicant should be required to make the modifications described above at this intersection. (see Conditions A-2.b. and D-7)

Conclusion (Concurrency):

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation concurrency ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan meets the requirements of the county transportation concurrency ordinance CCC 40.350.020.

STORMWATER:

Finding 20 Applicability

The Stormwater and Erosion Control Ordinance (CCC 40.380) applies to development activities that result in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities.

This project will create more than 2,000 square feet of new impervious surface, involves platting of a single-family residential subdivision, and is a land disturbing activity not exempted in Section 40.380.030. Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance (CCC 40.380).

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380.050. This project is subject to the erosion control ordinance.

Finding 21 Existing Site Conditions

The property is approximately 6.88 acres in size with slopes of 0-5% over 99% of the parcel, and slopes of 5-10% over 1% of the parcel. The project site consists of 5 parcels that will be developed concurrently to facilitate development in accordance with county standards. The site currently has four existing single family homes, four associated outbuildings, trees, and grass covering the remainder of the site. Two of the existing homes and three associated outbuilding will be removed at the time of development of the properties.

The Natural Resource Conservation Service (NRCS) indicates the site to be underlain by Hillsboro silt loam (100% of HIB). Hillsboro soils are classified by AASHTO as A-4 soils and are designated as hydrologic group "B". The Stormwater and Erosion Control Ordinance (CCC 40.380) does not list A-4 soils as suitable for infiltration.

Finding 22 Developed Site Conditions

The report indicates that the tributary drainage area to this site's stormwater facilities is approximately 6.88 acres, containing 3.29 acres of new impervious area and 3.58 acres of pervious area.

The runoff curve numbers were determined based on the soil types and proposed land use for the hydrologic analysis. Runoff curve numbers of 98 and 80 were used for impervious area (roofs / pavements / sidewalks) and pervious areas (lawns / landscaping), respectively.

Finding 23 Stormwater Proposal

The project proposes to provide stormwater facilities to intercept, treat and infiltrate stormwater runoff from this development to ensure that runoff does not have adverse affects in the area. The proposed infiltration system is designed to infiltrate the 100-year design storm event. The stormwater system will also include an overflow to the existing public conveyance system in NE 50th Avenue. The proposed stormwater facilities are located to the south of lot 14 within a separate

tract (Tract A) and in the public right-of-way. The bioswale and infiltration facilities are proposed to be privately owned and maintained by a homeowner's association.

Finding 24 Water Quality Control

Water quality treatment for the proposed project will be achieved through a biofiltration swale for the runoff generated from the pollution-generating surfaces. Based on the preliminary stormwater report, the bioswale is located in Tract A. The project engineer certifies that the proposed stormwater treatment facilities are capable of treating 70% of the runoff from pollution-generating surfaces due to 2-year, 24-hour design storms, as required.

Finding 25 Stormwater Facility Location

The applicant proposes to place infiltration facilities in the public right-of-way. These systems, as proposed, are not easily maintainable and/or repairable without substantial costs. Furthermore, if they are to be replaced, major construction work will be required. Therefore, the proposed infiltration galleries and drywells cannot be located in the public right-of-way. In the final stormwater plan, the applicant shall relocate the proposed infiltration galleries and drywells to a tract located outside of the public-right-way, in accordance with CCC40.380.030(D)(7). (see Condition A-3.a.)

Finding 26 Infiltration

The project proposes to utilize infiltration as a method of stormwater quantity control. According to the Stormwater & Erosion Control Ordinance (CCC 40.380), infiltration of the 100-year storm event is the preferred method of stormwater disposal from the developed site. Natural Resource Conservation Service mapping shows the site to be underlain with Hillsboro silt loam (HIB), designated as A-4 soils for the depths of 0 to 86 inches below the ground surface in accordance with AASHTO classification. Hillsboro silt loam soils are designated as hydrologic group "B."

The applicant has submitted an infiltration testing report performed by GE Service Inc., dated February 9, 2006. The subsurface exploration was conducted on February 7, 2006. Laboratory tests performed included grain distribution analyses and AASHTO Specification M145 soil classification, as required per the stormwater ordinance. In accordance with the provisions of CCC 40.380.40(C)(3)(a), soils classified as A-1-a, A-1-b, A-2-4, A-2-5, and A-3, as defined as AASHTO Specification M145, are suitable for infiltration. The infiltration report included results of two infiltration tests with samples taken at different depths in the two test pits. The test pit locations are shown in Figure 1 of geotechnical report. The test data are summarized in the following table:

DATE	TEST PIT NO.	DEPTH (FT)	% PASSING #200 SIEVE	INFITRATION RATE (IN/HR)	AASHTO CLASSIFICATION
2/7/06	1	8.5	32	18	A-2-4
2/7/06	2	7.5	16	25	A-2-4

Per CCC 40.380.040(C)(3)(d), the minimum design infiltration rate shall have a safety factor of 2. Thus, in the preliminary analysis, the applicant's engineer selected the tested rate of 18 inches per hour and a design rate of 9 inches per hour for the design of the infiltration facilities. Therefore, the applicant has met the

standards outlined in this section. In addition, the applicant has provided an emergency overflow system, per subsection CCC 40.380.060(F)(2).

In order to ensure that the proposed stormwater infiltration facilities will function as designed, the infiltration rate used in the stormwater analysis shall be verified during the construction of the stormwater facilities. In accordance with the provisions of Section CCC 40.380.040(C)(3)(a), soil suitability for infiltration shall be determined by a qualified geo-technical engineer through both approved field-testing and laboratory testing. (see Condition A-3.b.)

The proposed stormwater runoff disposal is by infiltration; therefore, it is important to ensure that no soil or contaminated materials inadvertently enter the storm drain collection system. In order to protect the infiltration facilities from plugging during the construction of the subdivision and homes with the proposed lots, all runoff shall be conveyed to an onsite sacrificial system or be contained by other approved methods until such a time when the county inspection staff determines that the potential for plugging the infiltration system is minimized to the extent possible. (see Condition C-1)

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions identified in this report, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Finding 27 Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 28 Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process.

Finding 29 Fire Flow

Fire flow in the amount of 1,000 gallons per minute supplied at 20 psi for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is available at the site, estimated to be 1,000 gpm. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (see Condition A-5.a.)

Finding 30 Fire Hydrants

Fire hydrants are required for this application. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. Fire Marshal staff indicates that either the indicated number or the spacing of the fire hydrants is inadequate. (see Condition A-5.b.)

Finding 31 Fire Access and Maneuvering

The project is required to provide an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface capable of supporting the imposed loads of fire apparatus. Fire Marshal staff indicates that the roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards. (see Condition A-5.c.)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to the conditions identified in this report, does or can meet the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding 32 Utilities

In accordance with CCC 40.370.010(D), the new lots and the existing houses are required to be connected to public water and sewer. The site is in the Clark Public Utilities service area for public water and within the Clark Regional Wastewater District for sewer. The applicant submitted current utility reviews from the purveyors confirming that services are available to the site, and describing the connection requirements.

Prior to final plat approval, the applicant shall provide documentation from the purveyors that water and sewer connections to the new lots have been installed and approved. (see Condition D-8)

Finding 33 Health Department

The application indicates the existence of a wells and septic systems on the site. The septic systems are required to be properly abandoned and the wells are required to be properly decommissioned in accordance with state law and the requirements of the Clark County Health Department. The locations of the abandoned septic tanks and decommissioned wells shall be shown on the face of the final plat. (see Condition D-9)

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval Letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or prior to occupancy). The Health Department Evaluation Letter serves as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any

structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department (if applicable). (see Condition A-8)

IMPACT FEES:

Finding 34 Impact Fees

The additional residential lots created by this plat will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610.

The site is within:

- Battle Ground School District, with a SIF of \$3,000.00 per dwelling.
- Park District #8, with a PIF of \$1,800.00 per dwelling (\$1,360 for park acquisition / \$440 for park development).
- Hazel Dell sub-area with a TIF of \$1,382.87 per dwelling.

Impact fees shall be paid prior to issuance of a building permit for each new lot; provided, two lots may be exempt as credit for the two existing dwellings being removed. If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees will be recalculated according to the then-current ordinance rate. (see Conditions D-10.a. & E-1)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS). Clark County, as lead agency for review of this proposal, has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not

required under RCW 43.21C.030(2)(e). This decision was made after review of a completed environmental checklist and other information on file with the County.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on July 31, 2006 is hereby final.

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$178**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Alan Boguslawski, (360) 397-2375 ext. 4921

Responsible Official: Michael V. Butts

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810**

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit #5), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A	Final Construction Plan Review Review & Approval Authority: Development Engineering
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Prior to construction, a Final Construction Plan shall be submitted for review and approval to Development Engineering, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Transportation Plan (On-Site & Frontage) - The applicant shall submit and obtain County approval of a final transportation design in conformance with CCC 40.350 and the following conditions of approval:

- a. The applicant shall provide documentation that resolves the deed discrepancy and establishes the correct right-of-way boundaries for NE 53rd Avenue. (see Finding 6)
- b. The applicant shall address safety concerns by submitting and obtaining approval of a mitigation plan for deficient sight distance at the intersections of NE 102nd Street/ NE 53rd Avenue and NE 102nd Street/ NE 50th Avenue. Solutions may include but are not limited to clearing vegetation, redesigning fencing, signing, striping, and removing objects that obstruct the line of sight in this location. (see Finding 11)
- c. The final engineering plans shall show sight distance triangles for all intersections. Landscaping, utility poles, and structures will not be allowed where required sight distance is impeded. (see Finding 11)

A-2 Final Transportation Plan/Off Site (Concurrency) - The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed \$1,500. The reimbursement shall be made prior to final site plan approval. (see Finding 14)
- b. The applicant shall submit and obtain approval of a signing and striping plan showing the stop sign modifications at the intersection of NE 102nd Street and NE 53rd Avenue. This plan shall show the stop sign moved from the north leg to the east leg and include lane striping to indicate the minor leg is the east leg. Signs shall be included in the plan to show the 90 degree curve in the road along with an advisory speed included on the signs. (see Finding 15)
- c. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-3 Final Stormwater Plan - The applicant shall submit and obtain County approval of a final stormwater plan designed in conformance with CCC 40.380 and the following conditions of approval:

- a. Stormwater quantity and quality control facilities shall be located within a tract or easement. The applicant shall location these facilities out of the public right-of-way, in compliance CCC 40.380. (see Finding 25)
- b. The infiltration rates used in the final stormwater analysis shall be verified during construction by a licensed geotechnical engineer or a designated representative, at the exact location and depth of the proposed stormwater infiltration facilities. (see Finding 26)

A-4 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

A-5 Fire Marshal Requirements:

- a. Fire Flow: Fire flow in the amount of 1,000 gallons per minute supplied for 60 minutes duration is required for this application. A utility review from the water purveyor indicates that the required fire flow is not currently available at the site. Additions to water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (see Finding 29)
- b. Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads. (see Finding 30)

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local fire district

chief approves the exact locations of fire hydrants. As a condition of approval, contact the Vancouver Fire Department at (360) 696-8166 to arrange for location approval. The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant.

- c. Fire Apparatus Access: Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standards. The applicant shall provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface capable of supporting the imposed loads of fire apparatus. (see Finding 31)

A-6 Other Documents Required – The following documents shall be submitted with the Final Construction Plan:

- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with CCC 32.04.060.

A-7 Excavation and Grading - Excavation/grading shall be performed in compliance with Appendix Chapter J of the 2003 International Building Code (IBC); and, drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

A-8 Health Department Review - Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. (see Finding 33)

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the county.
- B-2 Erosion Control** - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- B-3 Erosion Control** - Erosion control facilities shall not be removed without county approval.

C	Provisional Acceptance of Development Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements by Development Engineering, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

- C-1** All runoff from the site shall be conveyed to an onsite sacrificial system, a temporary sedimentation basin, or be contained by other approved methods until such a time when the county inspection staff determines that the potential for plugging the infiltration system is minimized to the extent possible. (see Finding 26)

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording by Development Engineering, the following conditions shall be met:

- D-1** The plat shall be amended as necessary to bring Lots 1, 5, 23, 24, 26 and 27 into compliance with the minimum average lot depth standard of 90 feet. (see Finding 1)
- D-2** The applicant shall provide documentation showing to the satisfaction of the Development Services Director that the final plat boundaries will not be subject to adverse possession claims based on existing fence lines. (see Finding 2)
- D-3** The applicant shall provide a copy of a recorded boundary line adjustment between Tax Lots 43 & 41 in substantial conformance with that proposed in the application. (see Finding 2)
- D-4** The applicant shall provide a copy of a final right-of-way vacation in substantial conformance with that proposed in the application. (see Finding 2)
- D-5** Prior to demolition or removal of any existing structures on the site, the applicant shall obtain approval of a demolition permit (or other appropriate permit as required) from the Clark County Building Department. The applicant shall comply

with all applicable asbestos inspection and control regulations, in accordance with the procedures of the Southwest Clean Air Agency. (see Finding 3)

- D-6** The existing garage proposed to be retained on Lot 29 is not permitted without a primary dwelling on the lot. Therefore, the garage shall be moved to a lot containing an existing dwelling or it shall be removed. Alternatively, the applicant may record a covenant acceptable to the Clark County Prosecuting Attorney that prohibits any use of the structure until such time as a primary dwelling is constructed on the lot. (see Finding 3)
- D-7** The applicant shall obtain a reimbursable work order for County Public Works Operations to make the modifications described in Condition A-2.b. The improvements shall be installed prior to final plat recording or as modified by the Director of Public Works. (see Finding 15)
- D-8** The applicant shall provide documentation from Clark Public Utilities and Clark Regional Wastewater District, respectively, that water and sewer connections to the new lots and the existing houses have been installed and approved. (see Finding 32)
- D-9** The existing septic tanks on the property shall be properly abandoned and the existing wells shall be properly decommissioned in accordance with the procedures of the Clark County Health Department. The locations of the abandoned septic tanks and wells shall be shown on the face of the final plat. (see Finding 33)
- D-10 Developer Covenant** – A “Developer Covenant to Clark County” shall be submitted for recording to include the following:
- a. Impact Fees: "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$3,000.00 (Battle Ground School District), \$1,800.00 (\$1,360 - Acquisition; \$440 - Development for Park District #8), and \$ 1,382.87 (Hazel Dell TIF subarea) respectively. Two lots, as designated on the final plat, shall be exempt from impact fees as credit for two dwellings being removed from the site. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule." (see Finding 34)
 - b. Critical Aquifer Recharge Areas - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
 - c. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

- d. Archaeological: "If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- e. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

D-11 Addressing - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-12 Plat Notes - The following notes shall be placed on the final plat:

- a. Mobile Homes: "Mobile homes are prohibited on all lots in this plat in accordance with CCC 40.260.130."
- b. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- c. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."
- d. Privately Owned Stormwater Facilities: "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: _____."

E	Building Permits Review & Approval Authority: Customer Service
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Prior to issuance of a building permit for each lot, the following conditions shall be met:

E-1 Impact Fees - The applicant shall pay impact fees as follows:

- a. \$3,000.00 per dwelling for School Impact Fees (Battle Ground School Dist.)
- b. \$1,800.00 per dwelling for Park Impact Fees (\$1,360 – Acquisition; \$440 – Development for Park District #8)
- c. \$1,382.87 per dwelling for Traffic Impact Fees (Hazel Dell TIF Sub-area)

Two lots, to be so designated on the final plat, shall be exempt from impact fees as credit for two dwellings being removed from the site.

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate. (see Finding 34)

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 None

G	Development Review Timelines Review & Approval Authority: None Advisory to Applicant-
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G-1 Land Division - Within 5 years of preliminary plat approval, a Fully Complete application for Final Plat review shall be submitted.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee with a maximum fee of \$5,000.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days

of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of **\$266** (made payable to the Clark County Board of County Commissioners).

Attachments:

- Copy of Vicinity Map
- Copy of Proposed Preliminary Plan
- Exhibit List

A copy of the preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

For Staff Only:

Final Plans Required with Construction Plans	YES	NO
Final Site Plan		X
Final Landscape Plan:		
-On-site landscape plan		X
-Right-of-way landscape plan*		X
Final Wetland Plan		X
Final Habitat Plan		X

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, as specified above, list each required final plan under Case Notes in Permit Plan for future reference.